# PROCEEDINGS OF THE BROWN COUNTY PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the Brown County Planning, Development & Transportation Committee was held on Monday, April 27, 2009 in Room 161 - UW-Extension, 1150 Bellevue Street, Green Bay, WI

Present:

Norb Dantinne, Bernie Erickson, Mike Fleck, Dan Haefs, Dave Kaster

Also Present: Brian Lamers, Bill Bosiacki, Peter Schleinz, Dale DeNamur

Chuck Larscheid. Debbie Klarkowski.

Tom Hinz, Jayme Sellen, Supervisors Steve Fewell/Jack Krueger

Other Interested Parties

١. **Call Meeting to Order:** 

Meeting called to order by Chairman Bernie Erickson at 6:22 p.m.

11. Approve/Modify Agenda:

> #'s 2 & 3, communications from Supervisor Fewell were held for his arrival, however, are shown in proper format here.

Motion made by Supervisor Fleck and seconded by Supervisor Dantinne to approve the agenda as modified. MOTION APPROVED UNANIMOUSLY

111. Approve/Modify Minutes of March 23, 2009:

> Motion made by Supervisor Dantinne and seconded by Supervisor Kaster to approve. MOTION APPROVED UNANIMOUSLY

Set Date and Time for May Meeting (Currently falls on Memorial Day: iv. Because of Memorial Day, the May meeting will be held on the 26th following Land Conservation which is scheduled for 7 p.m. Summer hours (7 p.m. start time for LLC, PDT to follow) will be continued through September.

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to set the May meeting for Tuesday, May 26th following the LLC meeting which will be scheduled for 7 p.m. Summer hours will continue through September. MOTION APPROVED UNANIMOUSLY

(Supervisor Kaster arrived 6:04 p.m.)

- 1. **Review Minutes of:** 
  - Harbor Commission (2/0909): a.
  - Planning Commission Board of Directors (3/4/09):

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. MOTION APPROVED UNANIMOUSLY

Supervisor Kaster pointed out that minutes of the Harbor Commission, Planning Commission Board of Directors and sometimes others, are not always signed by a recording secretary. He indicated he would like to know this information and Chairman Erickson stated he would follow up.

# **Communications:**

2. Communication from Supervisor Fewell re: Review procedures and policies related to the County's acquiring of land to complete County road projects. (Referred from April County Board):

Mr. Lamers distributed "The Rights of Landowners" under Wisconsin Eminent Domain Law as requested through this communication by Supervisor Fewell. He explained the process that is used to purchase land for County road projects.

Supervisor Fewell indicated he was contacted by a land owner who was given a verbal offer to purchase his property, however the department refused to put it in writing. Chairman Erickson stated he also spoke with the landowner and received the same story. Mr. Lamers agreed to discuss with Cleo Klubertanz, who deals with purchasing and permitting issues and report back in May.

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to report back at the May meeting. <u>MOTION APPROVED UNANIMOUSLY</u>

3. Communication from Supervisor Fewell re: Address the traffic congestion on County GV south of Hwy 172 and the need to upgrade that section of GV as the road has significantly deteriorated and is in need of repair. (Referred from April County Board:

At the request of Supervisor Fewell to address this issue, Mr. Lamers indicated that the department will continue to monitor potholes and shoulders on GV, however, are waiting for a determination to see if the proposed new roadway will be three or four lane.

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

# **Highway:**

4. March 2009 Budget to Actual:

Mr. Lamers reported that the budget is in line for this time of year.

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

5. Director's Report:

No additional report by Mr. Lamers at this time.

Chairman Erickson asked how chips are used that result from use by the Highway chipper, pointing out thaey are being purchased for the new dog park. Lamers agreed to check this out and follow-up.

Human Resources Director, Debbie Klarkowski, reported that the Highway Department and Human Resources will be working on a training plan which will promote an individual from staff to the Assistant Superintendent role. Lamers pointed out there are several possible retirements coming up in the next few years. An update will be given at the May meeting.

Motion made by Supervisor Dantinne and seconded by Supervisor Haefs to receive and place on file. MOTION APPROVED UNANIMOUSLY

# **Highway Planning Commission**:

6. Updates on CTH GV (standing item):

Drawings of the proposed route were distributed and explained by Brian Lamers. A decision has not yet been made if the road will be three or four lane.

Supervisor Kaster asked how recommendations from the DOT are handled by the County, stating he understood they have advised against a trail along this roadway because it is not "practical". Lamers indicated that such a decision is usually up to the municipality

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

# Planning & Land Services:

# **Planning Commission:**

7. Budget Status Financial Reports for February 2009 and March 2009:

Motion made by Supervisor Fleck and seconded by Supervisor Dantinne to receive and place on file. MOTION APPROVED UNANIMOUSLY

8. "When do I need an Environmental Permit in Brown County?" Workshop:
A workshop is scheduled for Thursday, May 14<sup>th</sup>, 2009 from 6 to 8:30 p.m. at the
Brown County Central Library. Peter Schleinz, Brown County Senior Planner,
explained that County Executive Tom Hinz will be a speaker, along with
representatives of the DNR, US Army Corps of Engineers, Bill Bosiacki & Matt
Heyroth of the Brown County Zoning Department, along with himself, Jon
Motquin, and Chuck Lamine of Brown County Planning. The purpose of the
workshop is to foster a cooperative environmental ethic related to protecting our
natural resources and to create a more efficient and predictable development
process in Brown County.

Motion made by Supervisor Dantinne and seconded by Supervisor Haefs to receive and place on file. MOTION APPROVED UNANIMOUSLY

9. Summary of Annual Report submitted to WDNR related to Brown County Municipal Storm Sewer System (MS-4 Permit):

Peter Schleinz referred to the 2008 Annual Report Executive Summary, explaining that in 2006 Brown County was required to submit a Municipal Separate Storm Water System (MS-4) permit to the Wisconsin DNR. This permit relates to developed areas within urbanized areas of Brown County as

designated by the 2000 Census. Primary areas affected by the permit are county highways. (Report available in County Clerk & County Board office).

Schleinz stated that the primary goal of the MS-4 permit is to achieve 20% removal of total suspended solids by the year 2008 and removal of 40% by the year 2012.

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

# **Property Listing:**

10. Budget Status Financial Report for February 2009 and March 2009:0

Motion made by Supervisor Fleck and seconded by Supervisor Kaster to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

# Zoning:

11. Budget Status Financial Reports for February 2009 and March 2009:

Motion made by Supervisor Fleck and seconded by Supervisor Dantinne to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

12. Request from Dale Wall to waive the After-the-Fact Fee for Shoreland Permit:

A communication from Dale Wall, 1956 Sinclair Drive, DePere, Wisconsin was addressed. Mr. Wall contests the permit fee which doubled from \$400 to \$800 stating that he did not purposely neglect to submit the fee, rather than the Town of Lawrence and its inspector did not inform him of the requirement. He states that he did not consider a small drainage ditch adjoining his property to be shoreland.

Zoning Department Director, Bill Bosiacki referred to the chronology of events included in packet material, explaining that in August of 2008 seven property owners were informed they were in violation because they did not obtain a shoreland permit.

Supervisor Haefs pointed out it is important to treat all property owners in a consistent way. Several have already paid the permit fee, therefore, he recommended that the request to waive be denied. Supervisor Fleck suggested that Mr. Bosiacki make a presentation at area Town meetings so that residents are aware of permit requirements. Bosiacki explained that efforts are being made, that a seminar is planned, and a "red card" system being put in place.

Motion made by Supervisor Haefs and seconded by Supervisor Dantinne to deny the request of Dale Wall for waiver of fee.

Supervisor Haefs asked that Mr. Wall be notified of his rights, that this is a recommendation to the County Board, that he has the right to talk to his County Supervisor (Patty Hoeft), who could then talk on his behalf to the County Board, and that staff be present at the meeting. **MOTION APPROVED UNANIMOUSLY** 

13. Update regarding Private Onsite Wastewater Treatment System Mandatory Inventory and Maintenance:

Bill Bosiacki distributed statistics (attached) and explained that as of today there are 6,268 Private Onsite Wastewater Treatment Systems (POWTS) on the State's mandatory maintenance program. See handout for numbers related to the number of systems entered as of 1/1/09; those from 1/1/09 to 4/27/09, as of 4/27/09, number of systems that must be entered yet to complete the mandatory inventory, and the total number of POWTS in Brown County once the mandatory inventory is complete (10,975).

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

# Port & Solid Waste:

- 14. Request for approval re: NOAA Habitat Restoration Grant: Delete this item same as # 18 on the agenda.
- 15. Project #1352 Transfer Station Operation and Solid Waste Hauling Bid Award:

Dale DeNamur of the County Purchasing Department, and Chuck Larscheid of Port & Solid Waste, were present and distributed bid results for Transfer Station Operation and Solid Waste Hauling (attached). The low bid of Rick Tritt was discussed. A financial review was completed by Department of Administration Director, Lynn VandenLangenberg, who indicated that, "the financial ratios are below what would be desirable in all aspects . . . and recommends that the performance bond be renewed after year one if the financial health of this company does not improve".

Supervisor Haefs asked for a recommendation from staff. DeNamur stated he is aware that two financial institutions have given loan approval to Tritt, he has letters of credit and is qualified, therefore, both DeNamur and Larscheid recommended approval of the bid award.

Motion made by Supervisor Haefs and seconded by Supervisor Fleck to award the contract for solid waste hauling to the low bidder, Rick Tritt. MOTION APPROVED UNANIMOUSLY

16. Economic Impact Report for the 2008 Port of Green Bay Shipping Season: Mr. Larscheid referred to the Economic Report in packet material, pointing out that in 2008, port activity produced an estimated \$75,472,600 in economic output, and estimates that there were 621 jobs directly and indirectly associated with port activities. Port activities produced an estimated \$23,192,200 in income. Although declining from decade high peaks in 2006, the economic impact of the Port of Green Bay continues to trend upward and is significantly greater than estimated in 2000.

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

# 17. Wisconsin Ballast Water Rules Public Comments:

Comments on WDNR Draft Ballast Water Discharge Permitting were reviewed. More than 700 direct and indirect jobs are created by Green Bay's maritime industry resulting in an economic impact of more than \$76 million annually, and contributes to over \$5 million in state and local taxes. Brown County is apprehensive about any regulations intended in protecting the Great Lakes as they may actually have an adverse affect on the Port and waterborne shipping.

The WI DNR has released a permit with language to prevent the introduction and spread of aquatic invasive species carried in the ballast tanks of ocean going vessels visiting Wisconsin waters and ports. Dean Haen, Port Manager, believes the early implementation date along with more stringent regulations as outlined in the permit will create a patchwork of inconsistent ballast water regulations within the Great Lakes.

Brown County, along with vessel operators, Wisconsin port communities, maritime businesses, labor unions, and allied industries, is requesting the Wisconsin DNR adopt permitting regulations consistent with standards mandated by IMO and those imposed by other states.

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. MOTION APPROVED UNANIMOUSLY

18. **Grant Application Review (#09-24) re: Cat Island Restoration Project:**Chuck Larscheid distributed diagrams of the Cat Island Restoration Project (attached), explaining that this grant will provide for construction of a rock spine structure that will act as a wave barrier and provide the foundation for restoring the Cat Island chain. The grant is for \$19,103,971 over an 18 month period. Brown County has received the lakebed for the project from the Wisconsin legislature. Although it is expected the rock spine will remain structurally sound, Brown County will be responsible for maintenance of the facility.

Motion made by Supervisor Haefs and seconded by Supervisor Fleck to approve grant application. MOTION APPROVED UNANIMOUSLY

19. Budget Status Financial Report for December 2008:

Motion made by Supervisor Fleck and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY

20. Budget Status Financial Reports for February 2009 and March 2009:

Motion made by Supervisor Fleck and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY

# 21. Director's Report:

Mr. Larscheid highlighted the following activities during the last reporting period:

- Financial information was distributed in regard to Badgerland Express for the period December through March totaling \$179,378.05, or \$4.88 per ton (attached).

- A Gas to Energy Grand Opening was held on Friday, April 24<sup>th</sup>. A handout, "Look Who's Energizing the Community" was distributed. Larscheid explained that the US Environmental Protection Agency has congratulated the Brown County Port & Solid Waste Department, along with others for their efforts to improve the community and the environment by utilizing landfill gas to create energy (see attachment for details).
- 2008 Port Annual Report was submitted to the DNR.
- \$4.9 billion, under the American Recovery and Reinvestment Act (stimulus package), has been given to the US Corps of Engineers. The Port of Green Bay has asked the Corp to consider two major projects, one being backlog dredging of the federal navigation channel; and the second for a Renard Isle causeway.
- Legislation being presented to ban oil filters and absorbents in landfills could force a change in the salvage industry.
- An Electronics Bill presented in 2007 has been resurrected requiring that all electronics be landfilled or incinerated. This would require retailers and manufactures to offer buy-back programs that are sold (TV's, computers, monitors, cell phones, DVD's, etc.)
- An attempt to sell recyclable equipment may be scrapped as there have been no offers to purchase.
- A bid put out by Purchasing for hauling from the recycling facility has been awarded to Badgerland.
- Drug collection occurs two times a year, however, the Sheriff's Department offers collection every Tuesday.

Motion made by Supervisor Dantinne and seconded by Supervisor Haefs to receive and place on file. MOTION APPROVED <u>UNANIMOUSLY</u>

### Alirport:

22. Budget Status Financial Report for March 31, 2009:

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. MOTION APPROVED UNANIMOUSLY

23. Director's Report:

Item deleted. Airport Director, Tom Miller, requested to be excused.

# **UW Extension**

24. Accept \$2,000 Donation from Farm Technology Days Executive for use by UW-Extension staff for funding of Professional Development Opportunities:

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to receive and place on file. MOTION APPROVED UNANIMOUSLY

25. Grant Application Review (#09-20) re: \$5,000 Grant: SET Project Resources and Volunteer Training to Reach New Audiences:

This grant would allow for \$5000 to expand programming efforts to reach underserved youth in the City of Green Bay by developing new clubs and/or educational events that focus on science, engineering, and technology projects and activities.

Motion made by Supervisor Kaster and seconded by Supervisor Dantinne to approve. MOTION APPROVED UNANIMOUSLY

26. Grant Application Review re: \$2,000 Grant Nutrient Management Student Intern:

This grant for \$2,000 would be used to hire an Ag Student to assist with nutrient management projects and education.

Motion made by Supervisor Dantinne and seconded by Supervisor Fleck to approve. MOTION APPROVED UNANIMOUSLY

# 27. Financial Report for March 2009:

Financial report through March distributed and is attached.

Motion made by Supervisor Fleck and seconded by Supervisor Kaster to receive and place on file. <u>MOTION APPROVED UNANIMOUSLY</u>

# 28. **Director's Report:**

Judy Knudsen distributed the following materials:

- UW-Extension Programming Efforts
- UW-Extension 2008 Highlights
- UW-Extension 2008 Annual Report

Activities were highlighted as follows:

- \$61,000 in proceeds from Farm Technology Days will be distributed to UW-Extension, in addition to the museum, and other entities.
- A plan to deal with Emerald Ash Bore is in process.
- Programs with families relating to financial management, gardening, food preservation, etc. are in process.
- There have been many horticulture questions/calls related to lawns, etc.

Ms. Knudsen invited the committee for a tour of the Hoop House prior to the May meeting, following the Land Conservation meeting.

Motion made by Supervisor Dantinne and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY

Land Information Office - No agenda items

Register of Deeds – Budget Status Financial Reports for February 2009 and March 3009. No other agenda items.

Motion made by Supervisor Fleck and seconded by Supervisor Haefs to receive and place on file Budget Report for Register of Deeds. <u>MOTION APPROVED UNANIMOUSLY</u>

#### Other:

## 29. Audit of Bills:

Motion made by Supervisor Fleck and seconded by Supervisor Kaster to approve payment of bills. <u>MOTION APPROVED UNANIMOUSLY</u>

# 30. Such Other Matters as Authorized by Law:

May Meeting:

A request was made to put UW-Extension first on the May agenda. Judy Knudsen invited members of the committee to see the "hoop house" before the meeting.

Motion made by Supervisor Dantinne and seconded by Supervisor Kaster to adjourn at 9:10 p.m. <u>MOTION APPROVED UNANIMOUSLY</u>

Respectfully submitted,

Rae G. Knippel Recording Secretary



# THE RIGHTS OF LANDOWNERS

Under Wisconsin Eminent Domain Law

> Procedures Under sec. 32.05 Wisconsin Statutes

Highways, Streets, Storm & Sanitary Sewers, Watercourses, Alleys, Airports, and Mass Transit Facilities

Highway @

# **FOREWORD**

This pamphlet is published by the Wisconsin Department of Commerce in cooperation with the Attorney General, pursuant to sec. 32.26 (6), of Wisconsin statutes. The pamphlet is to be given to property owners or their representatives by the acquiring authority prior to initiation of negotiations for property being acquired for a public project.

The material in this pamphlet provides information on how the condemnation process works in Wisconsin. It should serve as a reference for you, but it is not intended to cover every possible eventuality or every right you may have in individual cases. A further source of information is Chapter 32 of the Wisconsin statutes which contains the law that is summarized in this pamphlet.

Direct questions about this pamphlet to: Relocation Unit Bureau of Planning & Technical Assistance Wisconsin Department of Commerce P.O. Box 7970, Madison, WI 53707 (608) 267-0317

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# INTRODUCTION

**FEDERAL LAW** 

In recent times there has been an increasing demand placed upon government for services in transportation, education, utilities, housing and other areas of public concern. At the same time, the available supply of land for these projects has been shrinking dramatically. Consequently, government has had to resort to its right to acquire private land for public uses even without the consent of private owners—the eminent domain power.

This power derives from the Wisconsin Constitution, Art. IX, sec. 3. The Legislature has

When a project is receiving federal financial assistance, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) may provide additional or different protections than those outlined in this pamphlet. You

should receive supplemental

information from the acquiring

authority if federal law

applies.

delegated this power by statute to numerous authorities and has specified the purposes for which such power can be used. Generally, departments, municipalities, boards, commissions, public officers, and various public and quasi-public corporations are delegated this power. Some of the purposes for which the Legislature has specified that condemnation can be used are highway construction or improvement, reservoirs, dams, public utility sites, waste treatment facilities, city redevelopment and energy lines.

Wisconsin has long had statutes regulating the exercise of eminent domain power. This pamphlet is intended to give citizens information about Wisconsin's eminent domain procedure, the workings of the condemnation process, and the rights of property owners in this process. It is, by necessity, of a general nature and is not a substitute for legal advice in individual cases, since many aspects of Wisconsin law cannot be covered in general terms. Another source of information for citizens is the particular authority which is acquiring the property.

The goal is to achieve equality of information for both parties during the negotiation process and to reach satisfactory settlements, equitable to both the property owner and the public.

# THE LANGUAGE OF EMINENT DOMAIN

(This glossary defines terms used in the pamphlet)

#### **Acquiring Authority**

A public or quasi-public entity vested with the constitutional or statutory power to acquire private property for a public use.

#### **Additional Items Payable**

Persons displaced by the public project are to be fairly compensated by the payment of relocation assistance and assistance in the acquisition of replacement housing.

## **Appraisal**

A written report, by a professional and disinterested person skilled in valuation, describing the property that is to be acquired and reaching a documented conclusion as to the fair market value of such property.

## **Award of Compensation**

A document which is served upon a property owner after a refusal of a jurisdictional offer, stating the amount of just compensation. It names all persons with a record interest in the property, describes the property acquired, and includes the date of occupancy by the acquiring authority. The recording of this document passes title in the property to the acquiring authority. This term also describes the payment made to the property owner for the property. For negotiated sales, the amount of compensation is stated in the conveyance.

#### **Condemnation Commission**

A group of local residents, appointed by the circuit court of a county for fixed terms, who have the authority to determine just compensation for the property being acquired.

# **Date of Acquisition and Date of Evaluation**

The day on which the award of compensation is recorded in the office of the register of deeds in the county where the land is located. The fair market value of the property on this day is just compensation to the property owner for the acquisition. For negotiated sales, the date of acquisition and the date of evaluation is the date the conveyance is recorded with the register of deeds.

#### **Easement**

An interest in real property which gives the acquiring authority the legal right to use the property for a specific purpose or to restrict the property owner's use of the land. Ownership and title to the property remain with the property owner.

#### **Eminent Domain**

The power of the state to acquire private property for a public use.

#### Fair Market Value

The amount for which property could be sold in the open market between a willing buyer and a willing seller.

#### **Full Narrative Appraisal**

A detailed and comprehensive description of the process an appraiser uses to reach a documented conclusion of a property's fair market value. The report must contain the appraiser's rationale for determining value and be documented by market data which supports the appraiser's rationale.

#### **Incidental Expenses**

Reasonable and necessary amounts, defined by statute, payable to the owner of real property acquired for a public use. Generally, incidental expenses compensate for expenses you may incur in transfer of your property to the acquiring authority. They include recording fees, mortgage prepayment penalties and other items.

#### **Jurisdictional Offer**

A written notice given by the acquiring authority to the owner of property and any mortgagee of record which informs the recipients of the proposed public use, what property is being acquired, and the amount of compensation to be paid.

#### Kline Law

A special condemnation procedure provided by the Legislature for condemnations by the City of Milwaukee.

# Lis Pendens

A notice filed with the register of deeds within 14 days of the jurisdictional offer to notify all interested parties that the property described is in the process of being acquired for a public use.

# Litigation Expenses

The sum of the costs, disbursements and expenses including reasonable attorney, appraisal and engineering fees necessary to prepare for, or participate in, actual or anticipated proceedings before a condemnation commission or any court.

#### **Relocation Order**

An order issued by the acquiring authority describing the proposed public project. It describes the old and new locations and includes all property needed for the project. Within 20 days after its issuance it must be filed with the county clerk in the county in which the lands are located.

### **Severance Damages**

Damages which may result when only part of a person's property is condemned. Generally, these items of damage compensate for any loss in value of the remaining property due to the acquisition.

#### **Uneconomic Remnant**

Any portion of the property remaining after a partial acquisition which is of little value or substantially impaired economic viability due to its size, shape or condition.

# PART ONE BEFORE NEGOTIATIONS TO ACQUIRE PROPERTY BEGINS

After you have been contacted by the acquiring authority, you have the right to a full narrative appraisal of the property sought to be acquired. This appraisal is done by an appraiser hired or employed by the agency, and the law requires the appraiser to confer with the owner or the owner's representative, if reasonably possible, when making the appraisal. Any and all appraisals made by the acquiring authority must be provided to you.

You have the right to have your own full narrative appraisal of the property made by a qualified appraiser. The reasonable cost of this appraisal may be submitted to the acquiring authority for payment, if the appraisal meets the standards set forth in sec. 32.09 of Wisconsin statutes, but, if you have such an appraisal made and wish to be paid for its cost, it must be submitted to the authority within 60 days after you receive the authority's full narrative appraisal. Your appraisal will be considered during negotiations.

The acquiring authority is required to file a relocation order with the county clerk of the county in which your property is located, unless the appraisal estimates that compensation will be less than \$1,000 in the aggregate. This order describes the layout of the project, old and new locations, and the property interests sought to be acquired. It must be filed within 20 days after its issuance by the agency, and is available for public inspection.

If a public project, other than a town highway, involves the acquisition of any interest in any farm operation of more than five acres, the Department of Agriculture, Trade and Consumer Protection (DATCP) may be required to prepare an agricultural impact statement prior to the acquisition of any land. Even if the acquisition is less than five acres, DATCP may prepare a statement if the acquisition will have a significant effect on the farm operation.

If an environmental impact statement is required by another statute, the requirements of the agricultural impact statement may be met by the environmental impact statement. Also, if an easement for an electric transmission line, excluding a high voltage line, is being acquired over a farm operation, an agricultural impact statement is not required.

A "farm operation" is defined by law as an activity conducted primarily for the production of commodities for sale or home use in such quantity that the commodities contribute materially to the support of the farm operator.

The acquiring authority may gather the necessary information for the impact statement. DATCP must prepare the statement within 60 days after receiving the information from the acquiring authority. After preparation, the statement must be published by DATCP. For a 30 day period after publication, the acquiring authority is precluded from negotiating with the property owner or making a jurisdictional offer.

The law also requires that the agricultural impact statement be distributed by DATCP to various offices and individuals. You can obtain a copy from your local library or from any local unit of government in the area affected. You may also request a copy directly from DATCP.

# PART TWO THE NEGOTIATION PERIOD

After a relocation order has been filed and appraisals are completed, the acquiring authority must attempt to negotiate with the owner or the owner's representative for purchase of the needed property. The statutes require that you be provided an informational pamphlet on eminent domain procedure before negotiation begins. If you are also displaced as a result of the acquisition, the law requires that you receive a pamphlet on relocation benefits. The owner's full narrative appraisal must be considered as a part of the negotiation. Also, any rights you may have for additional items payable (relocation benefits) can be included in the negotiations.

During negotiations, the acquiring authority must provide a map showing all property affected by the proposed project. Along with this map you must be given the names of at least 10 neighboring landowners to whom offers are being made. The names of all offerees if less than 10 owners are affected must be given. Any maps in the possession of the authority showing the property affected can be inspected, and copies will be made available at reasonable cost. At this point, condemnation is not involved, only negotiations for purchase.

If you agree to a negotiated purchase, the acquiring authority must record the conveyance with the register of deeds in the county where the land is located. Also, all owners of record should receive by certified mail the conveyance and a notice of their right to appeal within six months after the date of the recording of the conveyance. Such an appeal would challenge the amount of compensation received by the property owner. The procedure used for this appeal is described in Parts 6 and 7 of this pamphlet, except that an appeal from a negotiated price must be taken within six months. The date the conveyance is recorded is the date of acquisition.

# PART THREE PARTIAL ACQUISITIONS AND EASEMENTS

If only a part of your property is acquired, other than for an easement, two different calculations may be made to determine the fair market value of the part acquired. In such partial acquisitions, fair market value is the greater amount of either the fair market value of the part acquired or the difference between the value of your property before the acquisition and its value after, giving effect to severance damages set forth in sec. 32.09 of Wisconsin Statutes.

If only part of your property is acquired and you are left with an uneconomic remnant, the acquiring authority must also offer to acquire the uneconomic remnant. You must consent to the acquisition in order for the remnant to be acquired.

When an easement over your property is acquired, the compensation required is the difference between the value of your property immediately before the date of evaluation and its value immediately after the date of evaluation. Severance damages may also be paid where such damages exist and are allowed by statute.

If your land is zoned or used for agricultural purposes and an easement is acquired for a high voltage transmission line or a fuel pipeline, you will be entitled to choose between a lump sum payment for the easement or an annual payment representing just compensation for the acquiring of the easement for one year. The acquiring authority should be able to answer any questions on your eligibility for this choice and the terms of each alternative. Sec. 32.09 (6r) (a), (b), and (c) of Wisconsin statutes details the law on lump sum versus annual payments.

# PART FOUR THE JURISDICTIONAL OFFER TO PURCHASE

If negotiations do not lead to a purchase of the needed interest by the acquiring authority, a jurisdictional offer must be given to the owner and to any mortgagee of record. You will receive the notice by personal service or by certified mail.

This very important document will provide you with vital information on the acquisition of your property. Items that must be included are a statement of the nature of the project, a description of the property to be acquired, and a statement of the proposed date the acquiring authority will occupy the property. Included in the document is the amount of compensation to be paid for your property, including a statement that any additional items payable may be claimed for relocation assistance. An owner has 20 days from the receipt of this offer to accept or reject it.

Within fourteen days from the day you receive the jurisdictional offer, a lis pendens will be filed with the register of deeds in the county where the property is located. The lis pendens provides notice to any interested party of the possibility that the property may be acquired for a public use.

If you accept the jurisdictional offer, title will be transferred and you will be paid the amount specified in the offer within 60 days. This 60 day period can be extended by mutual written consent of the property owner and the acquiring authority. Incidental expenses for which you may be eligible under sec. 32.195 of the statutes relating to transfer of your property to the acquiring authority will also be paid. If the property owners of record reject the jurisdictional offer

in writing, or do not act upon it within the 20 day period, the acquiring authority may make an award of compensation.

# PART FIVE THE AWARD OF COMPENSATION

This procedure allows the acquiring authority, after the jurisdictional offer is rejected or not accepted, to make a written declaration stating the amount of compensation to be paid, the description of the property, the date of occupancy and other information. The amount of compensation offered must be equal to or more than the amount of the jurisdictional offer. You will receive a copy of the award by personal service or certified mail.

You will then receive payment for your property, by check, for the amount of compensation provided in the award less any outstanding tax liens and prorated taxes. The acquiring authority may mail the check to you or deposit it with the clerk of the circuit court for your benefit. After payment is made, the award will be recorded with the register of deeds in the county where the land is located. This action passes title to the property to the acquiring authority. This date becomes the "date of acquisition" and any questions as to the value of your property will be resolved based on the value on this date.

# PART SIX HEARING BEFORE THE COUNTY CONDEMNATION COMMISSION

As of the date of acquisition, a property owner may appeal to the county condemnation commission from the amount of an award within two years, or from the amount of a conveyance within six months. This is accomplished by applying to the circuit court or county judge in the county where the land is located. Alternatively, this procedure may be waived and a property owner may appeal directly to circuit court. (See Part 7)

A county will have six to 12 commissioners, depending on the county population. They are local individuals, residents of the county or adjoining county, and are appointed by the circuit court. They serve staggered three year terms and generally sit in groups of three.

Within seven days after the chairperson of the commission is notified of the petition by the judge, three of the commissioners are selected to hear the case. The hearing date, time, and place are fixed by the chairperson, and will not be less than 20 days nor more than 30 days from the day the court assigned the petition to the chairperson. At least 10 days prior notice will be given to all parties. The commission proceedings are more informal than court proceedings, and are governed by statute. The amount of the jurisdictional offer or award of compensation cannot, by law, be disclosed to the commission. You have a right to appear and to present evidence. A majority of the members have the power to make all decisions. Within 10 days after the end of the hearing, a written award is made and filed with the clerk of circuit court. The clerk will notify the parties of the award.

Should the commission's award exceed the amount paid by the acquiring authority, and if neither party appeals from the award of the commission to the circuit court, interest is paid on the amount of the increase for the period from the date of acquisition until the date of the commission award, if the amount of the increase is paid within 14 days of the commission award.

If you or the acquiring authority are dissatisfied with the award of the condemnation commission, either can appeal to the circuit court of the county where the property is located. This must be done within 60 days of the filing of the condemnation commission's award. In case of such appeal by you or the acquiring authority, the amount of compensation awarded by the commission is not paid pending outcome of the appeal.

# PART SEVEN APPEAL OF JUST COMPENSATION TO CIRCUIT COURT

As of the date of acquisition, a property owner has two years to appeal from the amount of an award of damages, or six months to appeal from the amount of a conveyance. An owner may choose to go first to the condemnation commission (see Part 6), or go directly to circuit court.

The statutes require certain notices and papers to be filed to accomplish an appeal. It would be advisable to secure legal counsel to aid you in your appeal. The procedure may be found in sec. 32.05 (9) of Wisconsin statutes.

You have a right to a jury trial on the issue of just compensation. The measure of just compensation is the fair market value of the property acquired from you as of the date of acquisition, as calculated under sec. 32.09, stats.

You have the right to appeal from the judgment of the circuit court to the court of appeals within six months of the notice of the entry of judgment of the circuit court.

# PART EIGHT ACTION TO CONTEST THE RIGHT OF CONDEMNATION

This action challenges the right of the authority to condemn the property described in the jurisdictional offer. This action must be commenced in circuit court within 40 days from the postmark of the certified letter containing notice of the jurisdictional offer.

If you do not challenge the acquiring authority's right to acquire your property within this 40 day period, you will lose your right to do so.

In addition, if you accept and retain any money awarded for your property, you may not challenge the acquiring authority's right to acquire.

In this proceeding, you may challenge any defects in the procedure the authority has used and the "public" nature and necessity of the proposed use.

# PART NINE LITIGATION EXPENSES AND COSTS

The law provides for the payment of litigation expenses by the acquiring authority under any one of the following circumstances:

- if it is determined by a court that the acquiring authority does not have the right to condemn;
- if the award of the condemnation commission is greater than the jurisdictional offer, or the highest written offer prior to the jurisdictional offer, by at least \$700. and 15%, and the award is not appealed;
- if the jury verdict approved by the court exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer, by at least \$700. and 15%.
- if the property owner appeals an award of the condemnation commission which exceeds the
  jurisdictional offer or the highest written offer prior to the jurisdictional offer, by at least \$700.
  and 15%, and the court-approved jury verdict exceeds the award of the condemnation
  commission by at least \$700. and 15%;
- if the acquiring authority appeals an award of the condemnation commission, and the courtapproved jury verdict is \$700. and 15% greater than the jurisdictional offer or the highest written offer prior to the jurisdictional offer;
- if the property owner appeals an award of the condemnation commission which is not 15% greater than the jurisdictional offer or the highest written offer prior to the jurisdictional offer, and court-approved jury verdict is at least \$700 and 15% higher than the jurisdictional offer or highest written offer prior to the jurisdictional offer.

Unless you come under one of these specific categories, you will not be able to recover litigation expenses from the acquiring authority.

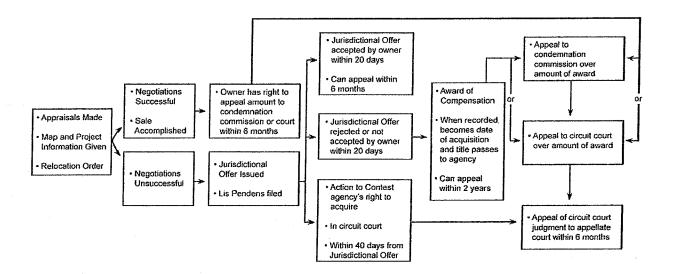
The Legislature has provided "costs" (statutorily determined payments to successful parties in proceedings challenging just compensation) to litigants who are successful but who do not fit into any of the categories mentioned above. If the just compensation awarded by the court or condemnation commission exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer, the property owner will be deemed the "successful" party. You may be required to pay "costs" to the acquiring authority if you are unsuccessful in challenging the compensation you have received or the acquiring authority's right to acquire the property. "Costs" are defined in Ch. 814 of Wisconsin statutes.

# PART TEN OCCUPANCY

No occupant may be required to move from a dwelling or move a business or farm without at least 90 days' written notice from the acquiring authority. An occupant shall have rent free use of the property for 30 days beginning with the 1st or 15th day of the month after title vests in an agency, whichever is sooner. Rent charged for use of a property between the date of acquisition

and the date of displacement may not exceed the economic rent, the rent paid by a tenant to the former owner or the occupant's financial means if a dwelling, whichever is less.

The acquiring authority may not require the persons who occupied the premises on the date title vested in the acquiring authority to vacate until a comparable replacement property is made available. If you damage or destroy any acquired property after the date that title vests in the acquiring authority, you may be liable for the damage.



ethic related to protecting our natuhopeful that the workshop will fosefficient and predictable develop-Thank you for your interest in atter a cooperative environmental ral resources and create a more tending the workshop. We are ment process in Brown County

If you have any questions related to to contact our office. We pride ourselves on providing prompt, responopment regulations, please feel free eral related to permitting or develthe workshop, or questions in gensive services to the citizens and business community of Brown

Sincerely,

Flood Fringe

Chuck Lamine, Director

Brown County Planning and Land Services Department

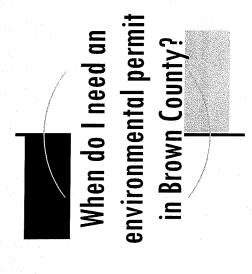
normal water level

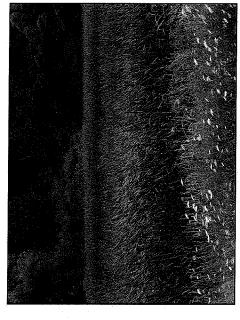
Flood Fringe more through the properties of the — Floodway — que only Floodlands and Floodplain Zoning

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Please RSVP to the Brown County Planning and Land Services Department by Friday, Brown County Planning and Land Services Dept. 305 E. Walnut St., Rm. 320 Green Bay, WI 54305-3600

Email: schuette\_am@co.brown.wi.us Web: www.co.brown.wi.us/planning Phone: (920) 448-6480 Fax: (920) 448-4487





**Brown County Central Library** Thursday May 14, 2009 6:00 p.m.— 8:30 p.m.

County Planning and Land Services Workshop presented by the Brown Department

change for the public good." "To anticipate and manage



# Agenda

# Thursday May 14, 2009

6:00 p.m.—8:30 p.m.

- I.Welcome Tom Hinz, Brown County Executive (6:00-6:05)
- 2. Wis. Dept. of Natural Resources Water Regulations - Jon Brand and U.S. Army Corps of Engineers Regulations - Linda Kurtz (6:05-6:30)
- 3.Brown County Shoreland and Floodplain
  Regulations Bill Bosiacki and Matt Heyroth –
  Brown County Zoning Dept. (6:30-7:00)
- 4.15 minute break (7:00-7:15)
- 5.Brown County Environmentally Sensitive
  Area (ESA) Regulations Peter Schleinz and
  Jon Motquin Brown County Planning Commission (7:20-7:55)
- 6.Brown County Private On-Site Wastewater Treatment Regulations and Upcoming Program Changes – Bill Bosiacki and Matt Heyroth (7:55-8:25)
- 7.Closing Remarks Chuck Lamine, Brown County Planning and Land Services Director (8:25-8:30)

Please RSVP to the Brown County Planning and Land Services Department by Friday,
May 8, 2009
\*\*\*There is no fee to attend\*\*\*

Brown County Planning and Land Services Dept. 305 E. Walnut St., Rm. 320 Green Bay, WI 54305-3600

Phone: (920) 448-6480
Fax: (920) 448-4487
Email: schuette\_am@co.brown.wi.us
Web: www.co.brown.wi.us/planning

The Wisconsin Department of Natural Resources regulates all activities associated with navigable waterways such as dredging, grading on the bank, placing riprap, piers and others. The protection of all wetlands in the State is also the responsibility of the Department.

Jon Brand has been employed by the WDNR for over 27 years with the last 8 years in the water regulations / wetland protection program.

The U.S. Army Corps of Engineers regulatory branch is responsible for reviewing permit applications for projects that would result in a discharge of dredged or fill material in waters of the U.S. and for those involving work in navigable (Section 10 RHA) waters of the U.S.

Linda Kurtz has been the Project Manager in Brown County for 6 years.

The Brown County Zoning Department is responsible for administering the Brown County Shoreland Zoning Ordinance and Brown County Floodplain Ordinance within unincorporated and contracted communities in Brown County. The Zoning Department also administers the Brown County ordinances related to private onsite wastewater treatment systems and nonmetallic mining reclamation.

**Bill Bosiacki** has been the Brown County Zoning Administrator for the past 18 years.

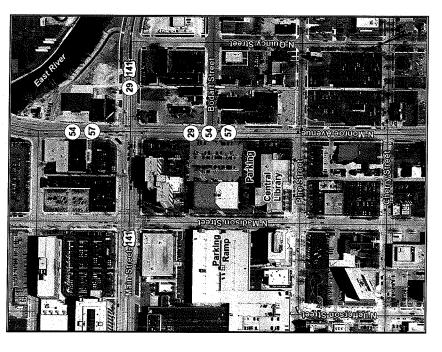
Matt Heyroth has been the Assistant Brown County Zoning Administrator for the past 12 years.

The Brown County Planning Commission is responsible for administering the Brown County Subdivision Ordinance in the villages and towns. Additionally, the Planning Commission reviews development for conformance with Chapter NR 121 through the Brown County Sewage Plan.

**Peter Schleinz** has been the Senior Brown County Natural Resources Planner for the past 4 years.

Jon Motquin has been the Senior Brown County Land Use Planner for the past 2 years.

# Parking



# Directions

# From Highway 41:

Take the Shawano Avenue (STH 29) exit east (right). Stay on Shawano Avenue across the Fox River. Shawano Avenue will turn into E. Walnut Street. Stay on E. Walnut Street to N. Monroe Avenue. Go north (left) on N. Monroe Avenue to Pine Street. Take a left on Pine Street to library.

# From Interstate 43:

Take the University Avenue (STH 54 and 57) west. University Avenue will turn into N. Monroe Avenue after crossing the East River. Stay on N. Monroe Avenue to Pine Street. Take a right (west) on Pine Street to library.

# From southern Brown County on STH 57:

Take STH 57 north through De Pere and Allouez to downtown Green Bay. Take a left (west) on Pine Street to library.

# PRIVATE ONSITE WASTEWATER TREATEMENT SYSTEM (POWTS) MANDATORY INVENTORY AND MAINTENANCE

Number of systems entered on the computer as of 1/1/09	9,145
Number of systems entered from 1/1/09 – 4/27/09	502
Number of systems entered on the computer as of 4/27/09	9,647
Number of systems that must be entered yet to complete the mandatory inventory	1,328
Total number of POWTS in Brown County once the mandatory inventory is complete	10,975

As of today, there are currently 6,268 POWTS on the State's mandatory maintenance program. Once the inventory is complete, another 4,707 POWTS will need to be placed on the maintenance program to be in compliance with State code.



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Note #f: Total 5 year contractor price is calculated using the total of the per ton prices submitted for years one and two for Winnebago/Hickory Meadows and the per ton prices submitted for years three, four and five for Outagamie County plus the bond cost for year one of the contract.

Note #2: Sexton bid was rejected due to not following the requirements of the bid document regarding the Bid Price Schedule. Sexton submitted a cost plus proposal. The price submitted for year one was indicated as estimated and they referenced the CPI as the increase for years two thru five.

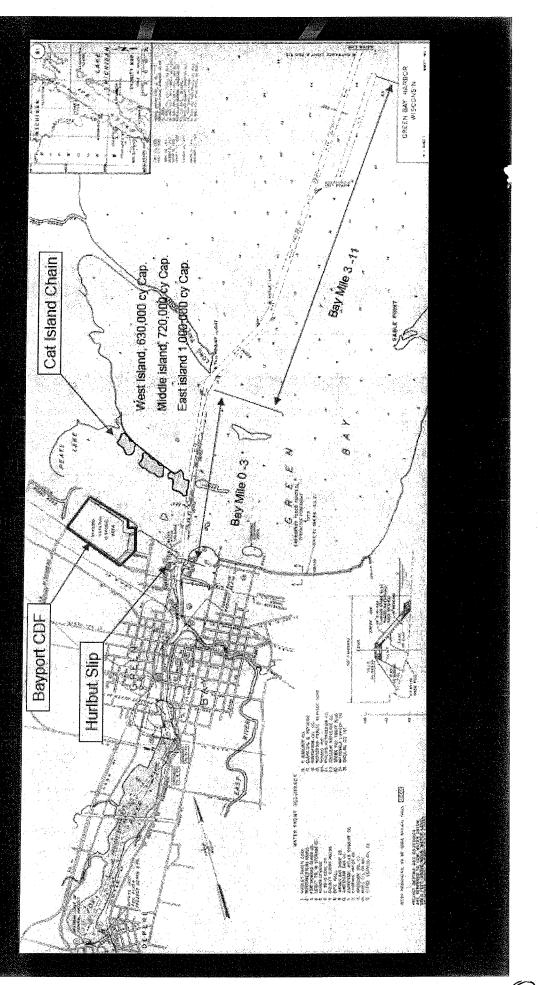
Note #3: Krellkamp's price indicated for the contract bond is for an irrevocable letter of credit.

Note #4: Pricing for years three, four and five for Winnebago/Flickory Meadows and year two for Outagamle were asked for in case the switch to Outagamle is delayed or moved up.



US Army Corps of Engineers Detroit District

# Project Area in Green Bay

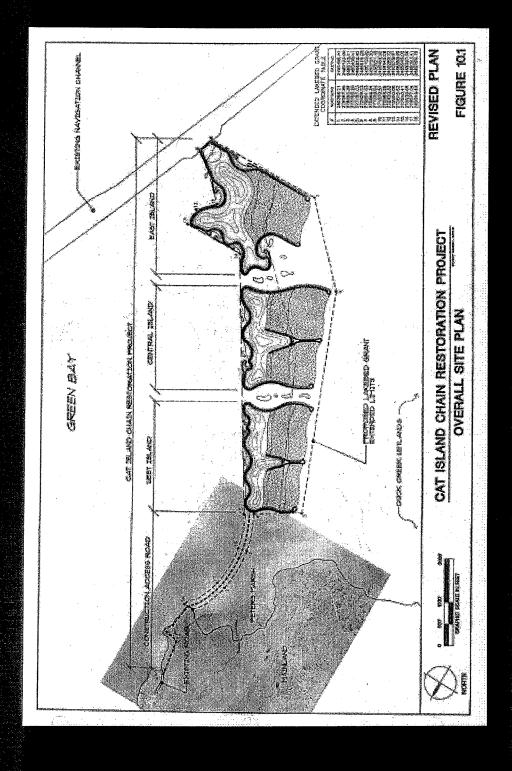




US Army Corps of Engineers Detroit District

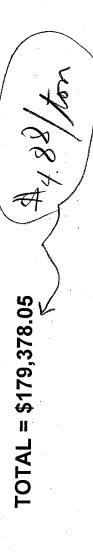
# Cat Island

# Restoration Project

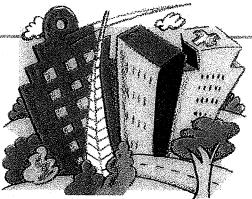


# BADGERLAND EXPRESS, LLC BROWN CTY FSC REFUND

\$ \$42.20         \$ \$186.80         \$ \$34,629.00           0         \$ 42.20         \$ \$6,583.20         \$ \$29,172.00           0         \$ 48.40         \$ \$6,583.20         \$ \$29,172.00           0         \$ 48.40         \$ \$6,583.20         \$ \$34,233.75           0         \$ 48.40         \$ \$170         \$ \$8,228.00         \$ \$32,453.00           0         \$ 49.80         \$ \$7,470.00         \$ \$34,680.00           0         \$ 53.40         \$ \$10.893.60         \$ \$40.875.50	Billing Period	Base Rate of Fuel		Rate on First of Month	Difference Multiplied bv .20	Amt to Deduct per Load	Number of	_ ნ	Total to	Amt Originally	Refund Amt Due Badgerland
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# Look Who's Energizing the Community



By developing a landfill gas energy project, Brown County, Cornerstone Environmental Group, Miron Construction, Wisconsin Public Service, Wisconsin Department of Natural Resources, Town of Ledgeview, and Foth are:

- Reducing greenhouse gas emissions
- Improving local air quality
- Encouraging economic development and job creation
- Developing a local, renewable source of energy

The U.S. Environmental Protection Agency congratulates LMOP Partners Brown County Port & Solid Waste Department, Cornerstone Environmental Group, Foth, and Wisconsin Department of Natural Resources as well as Miron Construction, Wisconsin Public Service, and Town of Ledgeview for their efforts to improve the community and the environment by utilizing landfill gas to create energy. Brown County worked cooperatively with Cornerstone Environmental to develop a project that captures landfill gas from the Brown County East Landfill in Ledgeview, Wisconsin, to fuel two 925-kilowatt 3516 A+ generators manufactured by LMOP Partner Caterpillar. The 1.85 megawatts of green power generated is purchased by Wisconsin Public Service. Using landfill gas for energy helps the environment by reducing fossil fuel emissions, helps the economy by providing a stable source of alternative energy, and benefits the community by improving local air quality. The annual reduction of greenhouse gases attributable to this project is approximately the same as the annual greenhouse gas emissions from 1,600 passenger vehicles, the carbon dioxide emissions from more than 20,000 barrels of oil consumed, or the carbon sequestered annually by 2,000 acres of pine or fir forests.

For more information on the benefits of landfill gas energy, contact the Landfill Methane Outreach Program at www.epa.gov/lmop.







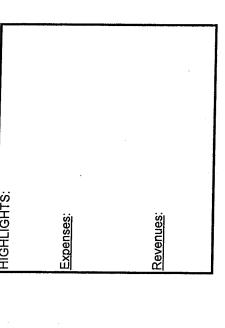


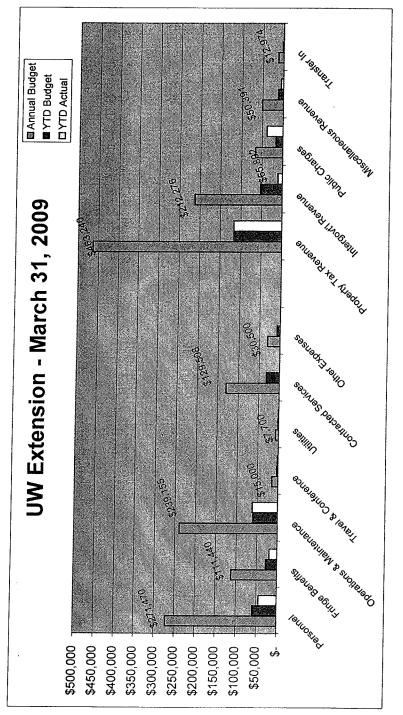






Brown County UW - Extension Budget Status Report





The Midwest Manure Summit held March 24-25, 2009 and sponsored by UW-Extension Dairy Team was designed for agri-business producers or agri-business professionals interested in new technologies for manure handling and storage. Experts from across the world addressed manure handling challenges and alternatives. Dealing with manure is a challenge for farming operation of any size. Many of those attending were looking to explore new technologies in manure handling and storage systems and interested in learning more from individuals already using these new technologies.

The summit was held at Lambeau Field with 255 paid attendees. Fourteen businesses paid an additional fee to be a sponsor of the summit. Further information on the Midwest Manure Summit can be found at <a href="https://www.midwestmanure.com">www.midwestmanure.com</a>

# **Brown County Farm Technology Days Proceeds Awarded for Youth Grants**

On Monday, April 20, 2009, the Brown County Farm Technology Days Executive Committee funded 21 grants to help benefit youth agriculture education and awareness in Brown County. Total money distributed exceeded \$61,000 and was the remainder of profits generated by the 2008 show.

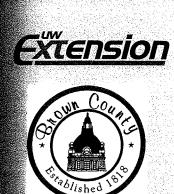
Projects funded ranged from more traditional agricultural activities such as the purchase of a portable livestock scale for use at the Brown County Fairgrounds and Meat Animal Quality Assurance (MAQA) equipment for Brown county youth to utilize in various aspects of their livestock projects.

Non-traditional projects receiving funds include the purchase of updated technology for computer labs used in Brown County vocational agriculture classrooms and the upcoming "Spiders" exhibit to be shown at the Neville Public Museum of Brown County highlighting how these creatures impact agriculture as natural predators.

# Schedule of Events

- May 4—4H Market
   Animal Education
   Meeting, 7:00 pm—8:30
   pm, Ag & Extension
   Service Center,
   Speaker: Robert
   Fourdraine, WI
   Livestock Identification
   Consortium, preregistration required, no
   fee
- May 9—Girdling Tree Root Demo, 9 am—12 noon, pre-registration required, 920-465-8512, no fee.
- May 9—Mosaic Flower
  Pot or Wall hanging,
  9am—12 noon, Ag &
  Extension Service
  Center, pre-registration
  required, 920-465-8512,
  \$38 each or both for
  \$65.
- Master Gardener's Plant Sale—Friday, May 15; Noon—7:00 pm, Saturday, May 16; 9:00 am—1:00 pm, Ag & Extension Service Center, no fee
- May 26—6:30 pm—
  Taking Charge of Your
  Money in Tough
  Economic Times, Ag &
  Extension Service
  Center, pre-registration
  required, no fee.
- June 7—Breakfast on the Farm, 8:00 am—12 noon, New Horizons Dairy, 4240 Rosin Rd, De Pere, WI—Tickets are: Adults—\$6.00; Children 5-10—\$4.00; Children 4 & Under— Free

UW-Extension Upcoming Events



Brown County
UW-Extension
1150 Bellevue St.
Green Bay, WI 54302
920-391-4610
www.browncountyextenson.org

# **Gardening with Arthritis**

Gardening can be difficult for those diagnosed with arthritis. In a DVD produced by Brown County UW-Extension Community Garden Coordinator Bill Wright, in cooperation

Cardenad and Arthritis

with The Wisconsin Arthritis Program, several experts discuss how gardening is a great activity for maintaining physical activity and helps to improve nutrition – two viable strategies for addressing arthritis.

Information is shared on how to garden using appropriate tools. "Picking the right tool for the job" can easily be applies to gardening. Learn how modified tools and techniques can reduce stress on joints, thus making gardening easier and more enjoyable.

This new DVD was released earlier this year. Already 100 copies have been distributed and a marketing plan is being prepared to broaden access to this educational information

# **High Tunnel Project**

High tunnels are unheated plastic-covered structures that provide an intermediate level of environmental protection and control, thus allowing for extension of the growing season.

In previous high tunnel trials conducted by Brown County UW-Extension, our normal 5-6 month growing season was extended to 10 months. The ultimate goal is to have fresh, cool season vegetables available year round without the use of supplemental heat or light. Planting began in mid March and will continue at various intervals into the fall.

# UW-Extension Programming Efforts



# **Taking Charge of Your Money In Tough Economic Times**

Managing personal finances can be challenging when the economy is good and very challenging when the economy in a downward spiral. Brown County UW-Extension Family Living Educator Judy Knudsen in partnership with St. Mary's Hospital, A Woman's Place recently offered a 1.5 hour program titled "Taking Charge of Your Money In Tough Economic Times". Forty individuals participated in this session which focused on tracking expenses, cash flow, spending plan, what to do if a person is unable to pay their bills, saving and credit.

This program will be offered again twice in May 2009. The first session is for individuals and families who are clients at the Hemophilia Outreach Center in Bellevue. The second session will be advertised to the general public.

# **Get Checking**

"Get Checking" is a program offered by Brown County UW-Extension in cooperation with Catholic Charities Budget Counseling program and FISC (Financial Information & Service Center, Inc. which is part of Goodwill Industries. The purpose of the program is to educate participants on how to use and maintain a checking account. Program participants have had challenges using their checking account and have been referred by a financial institution.

Participants need to complete the four hour class prior to opening another checking account. Approximately five to seven people participate in the class. Each participant must successfully pass an exam which includes a section on balancing a checking account prior to completing the class. Following a successful passing grade on the exam, participants are then able to open a checking account.

Cooperative Extension Programs • University of Wisconsin-Extension

University of Wisconsin, United States Department of Agriculture, and Wisconsin Counties cooperating.

University of Wisconsin-Extension provides equal opportunities in employment and programming, including Title IX and ADA.

# **EXTENSION**



# UW-Extension 2008 Highlights

Brown County UW-Extension 1150 Bellevue St., Green Bay, WI 54302-2259 Phone: 920-391-4610; Fax: 920-391-4617 Web: www.browncountyextension.org

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Through the University of Wisconsin-Extension, all Wisconsin people can access university resources and engage in lifelong learning, wherever they live and work.

A highlight for Brown County and UW Extension was hosting the Wisconsin Farm Technology Days Show that saw over 40,000 visitors come to Brown County. A few photos from the show are included on the back of this report. We hope this report provides you with a better understanding of UW-Extension programs being conducted in Brown County. If you have any questions about this report or our mission, please feel free to contact us at any time.

With this year's Wisconsin Farm Technology Days now officially in the books, the hay fields of Country Aire Farm in Greenleaf, Wisconsin can once again grow in peace. Wisconsin's largest outdoor Agriculture show of the year was a well-orchestrated event. Even though the event was shortened due to in climate weather a vast majority of visitors and vendors looked upon Brown County's effort as a success.

From cow waterbeds to processors for bio-fuels, the topic was agriculture. Massive harvesters with space-age colors shared the stage with tractors and other equipment from bygone days. It took a veritable tent city to house the myriad of farming exhibits spread over the site and all around, flags and banners waved in the breeze, conjuring up visions of some great army encampment on the frontiers of rural Wisconsin.

In all, over 690 commercial and educational exhibitors were on-hand for this year's event. Wisconsin Farm Technology Days is a yearly event held in a different Wisconsin county each year drawing visitors from around the state and beyond. The annual show is guided by the Board of Directors of Farm Technology Days, Inc. (a nonprofit organization) and was coordinated this year by the Brown County UW-Extension in cooperation with the host county (Brown County). A great many volunteers from

around the area donated their time and expertise to pulling off this successful event and congratulations and thanks are in order for doing Brown County so proud. Visitors in the mornings were treated to field demonstrations of hay mowing, hav chopping, and tilling and there were a number of opportunities to test-drive or otherwise make hands-on assessments of the wide variety of equipment on display. Young or old, farmer or not, this event had something for just about everyone.

Prominent themes at the event included the rapid pace of the changing face of agriculture and the need for farmers to stay abreast of the latest developments in production agriculture and agriculture science. You did not need to be a farmer though, to get drawn in at this show. There were numerous exhibits and demonstrations focused specifically on

(Continued on page 8)

# COOPERATIVE EXTENSION PROGRAMS . UNIVERSITY OF WISCONSIN-EXTENSION

University of Wisconsin, United States Department of Agriculture, and Wisconsin Counties cooperating. University of Wisconsin-Extension provides equal opportunities in employment and programming, including Title IX and ADA.

UW-Extension
educational
programs help
people grow and
succeed at all stages
of life.

# **Brown County Community Gardens**

The community garden program was initially developed as part of an overall initiative to increase food security in Brown County. Local applied research conducted in 1998 and 1999 by the Brown County UW-Extension Office in cooperation with the University of Wisconsin-Green Bay Social Work Professional Program found that some individuals and families did not have access to culturally appropriate, affordable and nutritious foods. The Hmong population suffered the

highest levels of food insecurity of all ethnic groups surveyed in Brown County.

Brown County UW-Extension in conjunction with the Brown County Food & Hunger Network has established community gardens throughout the county. Community gardens are one way that individuals and families can have access to culturally appropriate, nutritious foods. During 2008, a total of 107 families participated in the program. Seventy three percent of these

families were Southeast Asian, 14 percent were Caucasian, and 14 percent were Hispanic.

In addition to establishing garden plots, educational classes are periodically presented to expand the gardeners' knowledge. During 2008, classes were presented on seed starting, growing strawberries and raspberries and also on how to build and use a cold frame to extend the growing season.

# **GROW Project**

Childhood obesity is a growing problem in all areas of the country. One promising strategy for decreasing obesity is to increase consumption of fruits and vegetables. Brown County UW-Extension's Community Garden Program partnered with the Green Bay Area Public Schools Food Service Department to apply for (and receive) a Love Your Veggies Grant from Hidden Valley Company. Using grant funding, a number of projects were implemented at Elmore Elementary School. These efforts included:

- Food Service added a salad bar to the lunch line, allowing students to create their own salads and/or select various fruit options..
- Nutrition education lessons were presented in the classrooms including salad bar etiquette. These classes were conducted by students from UW-Green Bay's Community Nutrition class.
- A field trip was coordinated by UW-Extension to Tsyunhehkwa, the Oneida organic farm, allowing

students the opportunity to tour the farm and assist with the harvesting of the heirloom corn.

For a limited time, Food Service sourced some of the salad bar ingredients from a local grower. This was used as an opportunity to educate students about local food production.

The salad bar has proven to be a popular choice for students. Periodic checks show that approximately 110 (40%) of the students are regularly using the salad bar. The amount of fruits and vegetables selected by students is also being monitored in order to determine if usage changes throughout the year. Additional activities planned include a gardening project as well as a field trip to the school's central kitchen facilities.



# **Cottonwood Tree Research Project**

Cottonwood trees are normally not though of as a high-quality landscape three. Female trees distribute large amounts of "cotton." In addition, leaf and trunk diseases as well as branch breakage are other issues related to the undesirability of these trees.

In 2004, the Brown County **UW-Extension** Office became involved with UW-Madison in a project to develop a new more favorable cultivar. This cultivar is fast growing, is not

weak wooded, easy to start from cuttings and grows into healthy, sturdy trees.

Mark Sprague, a volunteer with the Brown County UW-Extension Office has provided leadership for this project for the past four years. In 2008, approximately 1,800 cuttings were distributed to Brown County residents. A couple hundred cuttings were given to NWTC to start a plantation as this institution is interested in using the cottonwood trees in a bio-mass project. The

cuttings provide an excellent opportunity for county residents to participate in a research project. In addition the trees were showcased at Farm Technology Days.

With this project, the following lessons were learned in 2008:

- Herbicide spray drift will kill the trees.
- Deer and rabbit browsing caused significant damage.
- Hard freeze in early June killed a number of trees.
- Prolonged standing water in May and June is not beneficial.
- Weeds need to be controlled throughout the growing season.



# Radio Frequency Identification Tag System

A partnership involving Brown group/lot of animals with a County UW-Extension, Brown County Fair Association and Wisconsin Livestock Identification Consortium (WLIC) was created to implement a pilot program for Radio Frequency Identification (RFID) tag system. Previously there was no formal Premise Identification system used for animals being shown at the Brown County Fair.

The National Animal Identification System (NAIS) consists of three steps:

Premise Registration identifying the location where livestock are raised, marketed, processed or held.

Animal Identification identifying an individual or a unique code.

Animal Tracking - identifying or tracking animal movement from premises to premises.

WLIC supplied tags for all steers and swine at the initial weigh-in held in March. The tags were used in conjunction with the required scanner and software needed to implement usage of this type of technology. Each animal received a radio frequency tag and redundant visible tag. This pilot was designed to increase general public knowledge and awareness about Wisconsin Premise Identification and animal identification programs. Brown County 4-H youth participants, their parents and

general public were the focus of this educational effort.

Many youth and parents were enthusiastic about the pilot program. Numerous individuals stopped and asked questions about the technology being used as animals were checked into the

In addition, the amount of time it took for final weigh-ins was dramatically reduced by using the RFID wand scanner. Safety was improved as the Beef Superintendent at the Fair did not have to catch every animal - the wand easily extracted necessary information at a distance. Next year, radio frequency tags will be used with all beef. swine, and swine fair entries.

UW-Extension responds to help farmers make the most of the situation.

UW-Extension teams up with communities to meet their challenges.

### **Consumer Horticulture**

#### Situation update:

Gardening continues to be one of the favorite hobbies of Americans. According to the National Gardening Association in 2005, 83% of all U.S. households, or an estimated 91 million households, participated in one or more types of do-it-yourself indoor and outdoor lawn and garden activities. That set a new record in terms of the percentage and number of households participating in lawn and garden activities.

UW-Extension and the Northeast Wisconsin (N.E.W.) Master Gardeners actively work to promote "best practice" principles that result in healthy lawns, gardens, and gardeners in Brown County.

Volunteers provide researchbased programs and resources needed to support gardening as an enjoyable, satisfying, and environmentally responsible activity. However, still many working adults, parents, and senior citizens in the county lack the knowledge and confidence to be successful gardeners.

#### Program Objectives:

 County residents will learn integrated pest management practices to combat various pests, diseases and weeds in their landscape

# **Impact Statements:**

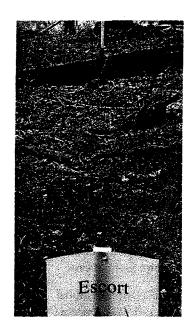
A) More than 1500 people obtained information from the Brown County UW-Extension Horticulture Educator and his team on urban landscape maintenance including integrated pest management practices and natural resources management through phone calls, walk-ins, a plant clinic center, email, and online web resources. A post survey conducted among walk-ins after receiving their consultation indicates that 41 consumers are likely to change their landscape practices based on the recommendations provided by the Educator and his team.

- B) More than 400 brochures, an on-site demonstration, and audio-video display on proper tree planting techniques were delivered at Farm Technology Days to educate consumers on stem girdling root and proper tree planting techniques.
- C) Wisconsin Garden Fact Sheet on "Pine Root Collar Weevil" was developed by the Horticulture Educator to help county residents adapt integrated pest management practices in combating the pine root collar weevil
- D) A newspaper column on various gardening practices is written by the Horticulture Educator on a weekly basis and circulated to more than 83,166 residents in Northeast Wisconsin. Many residents have called the Educator on their satisfac-

2. Master Gardener Volunteers will learn to develop outreach educational skills in general landscape and gardening

### **Impact Statements:**

A) Twenty Master Gardener Volunteers were trained by the Horticulture Educator in developing outreach education programs through various community gardening projects – gardening with special needs children, square foot gardening, plant clinic, rain garden demonstration, and sun loving hosta trial. More than 600 volunteer hours were secured by the volunteers on those gardening projects.



# **Hopp For The Green**

A recent survey from the U.S. Department of Health and Human Services indicates that nearly 10.2 million U.S. children (14%) have special health care needs which accounts for one-fifth of U.S. households having at least one child with special needs. The need for special health care for children with disabilities is on a constant rise and currently 12% of the families are in need of mental health care or counseling in related to a child's medical, behavior or other health condition.

Various research studies have shown that gardening skills can help children with special needs to enhance their motor skills, providing opportunities for sensory exploration, the expression of creativity, and practice of inquiry. The Syble Hopp School in Brown County is dedicated to children with disabilities and offers various occupational, physical and speech therapy programs to meet their special needs. The school has many facilities including a small working greenhouse, but it has not been used effectively for the children with special needs. However, there is a strong need for special gardening programs in the school to enhance mental development of cognitive and autistic children. A local volunteer from Syble Hopp approached UW-Extension for assistance for developing a gardening program that supports childrens' educational and life skills.

To address the need for a gardening program for cognitive and autistic children at Syble Hopp, the Horticulture Educator took initiative in partnering with Syble Hopp staff and Master Gardener Volunteers in developing a special gardening program called "Hopp for the Green." This special gardening program aims to increase student (children with special needs) interest in gardening through hands-on activities that support educational and life skills.

The program commenced in spring with nine cognitive and related disability children participating in planting tulip bulbs at the Syble Hopp greenhouse. The Educator and Master Gardener Volunteers assisted the students in planting in bulbs. A workbook exercise on planting bulbs in pots and recording the bulb growth was taught during the class. In the consecutive weeks, the students were educated again in planting hyacinth and shamrock bulbs, and various vegetable seedlings, and were taught cultural maintenance of these plants. Students were taught how to measure the growth of the plants until the end of their school year.

Post evaluation at the end of the school year collected from the students, staff and parents indicates that all nine students expressed their interest in developing hands-on activities in the greenhouse. They were able to make observations and record the growth of their plants. One of the students was amazed on the difference in the height of the various tulips in the greenhouse. This clearly demonstrates that the program has improved the mental ability of reasoning. Another student expressed her interest in working together in the greenhouse as a family.

Five parents have noticed the difference in their child's attitude in home by nourishing their plant as a result of the gardening project.

The observation data (see table below) collected every week by student shows that they are capable in growing plants successfully in the greenhouse. This indicates their self interest and responsibility in taking care of their plants. One of the staff stated that this is a great sensory activity project and promotes self confidence.

	University of
	Wisconsin-
	Extension
	strengthens
Bro	own County's
	families

Crop	Total number of plants planted per student	Average number of plant grown successfully per student
Tulip	4	3
Hyacinth	4	4
Shamrock	8	5 (over watering issue)
Peas	10	7
Tomato seedlings	25	20 (over watering issue)



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your connection to
University faculty,
research, and
resources



# **Sustainable Landscape & Grounds Maintenance**

EDUCATIONAL PROGRAMS FOR THE COMMERCIAL GREEN INDUSTRY

The Green Industry (tree farms and nurseries, greenhouses, lawn and landscape services) in Brown County is strong and growing, providing services and products to the everexpanding urban public. According to a Wisconsin agriculture and economy impact report in 2002, the horticulture business in Brown County has generated \$45 million in economic activity, providing 1,012 full-time and many seasonal jobs.

This lucrative industry has an increasing need for educational programs on sustainable landscape maintenance and diagnostic services for their employees to help meet this growing horticultural demand in Brown County.

Sustainable landscape practices improve the environment by conserving resources, reducing chemical applications and improving the general health of the landscape. A sustainable landscape reduces labor costs making it less expensive to implement and maintain. For instance, choosing the right tree species for the right place, proper pruning practices, proper tree planting techniques, rain gardens, proper lawn fertilization, sustainable pesticide application and safety are some of the common sustainable landscape practices

that promote a healthy landscape. There is a strong need in the Green Industry to train the industry professionals and seasonal employees to adopt these sustainable landscape practices.

### Program Objective:

- 1) Landscape employers will learn to plant trees at the right depth in the landscape
- A) Thirty-nine landscape employers were trained to plant trees at the right depth based on the DVD publication produced by the Educator.
- B) Eight park employees learned to plant trees at the right depth as a result of an onsite tree planting demonstration program.

# Program Objective:

- Lawn services, nurseries, garden center employees and landscape contractors will learn various sustainable landscape and grounds maintenance practices
- A) Sixty-two landscapers learned various environmentally friendly landscape practices in trees, shrubs and lawns as a result of a landscape and grounds maintenance program organized and conducted by the Educator.
- B) Four landscape companies have

- changed their landscape practices adopted in their clients' properties as a result of onsite diagnostic consultation services.
- C) Three garden center employees were trained on integrated pest management practices as a result of the diagnostic training program offered by the Educator.
- D) More than 200 Green Industry and horticulture professionals obtained research-based information in the field of applied landscape through the N.E.W. Horticulture Newsletter.

Proper Tree Planting Techniques

To most people, tree planting is a brief process of digging a hole and backfilling around the root ball with soil. Across the country, most urban community forests are planted in the same fashion without knowing the consequences of improper planting depth. Recent university research and field observations by arborist have led to the discovery that planting the root collar of trees too deeply contributes to the decline and failure of new trees in the landscape.

In 2007, a bilingual (English & Spanish) brochure on proper tree planting techniques was produced and (Continued on Page 7)

(Continued from Page 6)

distributed to the Green Industry audiences and public to create awareness on proper tree planting depth. Other educational programs like onsite tree planting demonstrations and seminars were conducted to bring change in their landscape practices. However, the feedback comments received from the Green Industry employers indicated that lack of time to train their employees during the growing season, and the publics' misconception of shallow planting deters them in bringing change to their landscape practices.

To address this challenge, the Brown County UW-Extension Horticulture Educator has produced a new bilingual DVD publication on "proper tree planting techniques" in collaboration with Green Bay Chapter Wisconsin Landscape Contractors Association. The content of the publication was divided in to five chapters entailing step-by-step instructions with the motto to help the Green Industry employers to train their employees.

An educational session was organized in September 2008 to train the employers of the Green Industry based on the new DVD. During the session, DVDs were distributed to the Green Industry employers. An onsite tree planting demonstration program was also conducted in spring 2008 to train park employees on proper tree planting.

As a result of the above educational programs, landscape employers increased their knowledge on the concept of stem girdling root and proper planting depth of the root collar based on the new DVD publication. It was evident from the oral feedback comments received from the Green Industry employers that they all realized the cause of the tree decline in their clients' properties and techniques to correct the problem. One of the landscape employers commented that, "For the first time I came to know where the root collar of the tree is located." Many landscapers appreciated the quality of the DVD and its simplicity in understanding the concept of stem girdling root. During the focus group discussion, they agreed to train their employees the following early spring.

So far, 39 DVD copies were distributed to the employers and 22 copies were distributed to UW-Extension colleagues. During an informal conversation with the assistant park manager, he indicated that their employees understood the concept on proper tree planting and appreciated the onsite demonstration program. However, none of the employees adapted the change in their landscape practices.

Overall feedback comments received from nine major Green Industry stakeholders at a Green Bay Chapter Wisconsin Landscape Contractors Association business session suggests that the landscapers valued the content and the quality of DVD publication produced by the Educator and a majority are likely to use this publication as a resource to change their landscape practices. They highly ranked the following:

- The overall quality of the DVD 9
- Simplicity of the content
- Has your understanding of the concept of stem girdling root in correlation to deep planting increased? 9
- How far likely are you going to utilize this resource to train your employees in the next couple of years?



UW-Extension
mission: Access
and lifelong
learning.

UW- Extension promoting healthy,. Well-nourished families as they learn to manage food dollars, plan nutritious meals, and purchase, prepare and serve food that is safe to eat.



# **Tickle Your Appetite**

Nutrition Educators provided a series of exciting preschool lessons based on the USDA "Tickle Your Appetite" curriculum to children enrolled in Head Start. Topics included: Food Safety and Germs, Choose a Variety of Foods, Food Appeals to our Creativity and Senses, and Where Food Comes From. These were taught in the classroom to approximately 262 different children. A parent newsletter was sent home in both English and Spanish after each of the four

lessons followed by a final evaluation which was sent home with children at the end of the lesson series. Of 262 parent evaluations sent home, 181 were returned of which 53% were in Spanish. We have been doing this program for several years and have received the most positive behavior change responses this year:

73% are more willing to taste new foods or foods that he/she usually doesn't eat.

76% state their child is eating more fruit

61% state their child has been eating more vegetables.

When asked if they have used information from the Nutrition Adventures
Newsletters:

74% used information on food safety

48% used information on the food pyramid

# **Meal Planning**

Nutrition Educators taught 403 adults with children about the advantages of planning meals ahead during the Food Stamp Orientation through the County JOBS program. After the 20 minute lesson, 89% of 365 participants completing the evaluation could name a low cost nutritious food they would buy and eat. Participants offered comments about the lesson.

"This session was very helpful. I learned about low cost nutritious food that I didn't know about. Thank you, great speaker – will try switching from white rice to brown rice"

"Beans, potatoes, rice, oats, fish – excellent class – thanks! – the lowest cost to eat good food is to cook at home. Very helpful to us on our health and on the food to buy"

Educators also teach at the Oneida IOB Center for Self Sufficiency. A total of 210 individual education sessions were taught to individuals, averaging 3 sessions each. Managing money for food is the primary focus of this education. After the first session, 97% of 36 learners participating in the evaluation learned at least one new way to save money. "I will start by keeping track of where my money goes and exactly what comes in and limit eating out."

In addition, participants are referred to a four part series of group lessons. The series was taught 7 times. This involved 51 different adult learners, or 155 group class contacts. After lessons on nutrition and physical activity, 95% of 41 said they now know how much physical activity to get each day

and 39% of 28 said they will try to get that amount each day. "Good ideas on how to get exercise for yourself while with your children. I'm glad I learned this, now I can try to do it."

After lessons on whole grains and shopping, 96% of 49 reported that after what they learned, they are more likely to try to eat whole grains and 92% of 37 learned at least one new thing about making a shopping list. "Why not! It's good to be healthy, I liked this class and learning things I really never paid attention to before." "I definitely intend on making and planning my grocery list a week ahead of time so my children and I can eat nutritious meals"

# **Hmong Farmer Liaison Project**

WNEP has developed a strong relationship with leaders in the Hmong community over the years. This relationship has opened doors for other Extension educators to provide programming to this population.

Beginning in 1999, WNEP undertook a study of food security in Brown County's population using food pantries. After digesting the findings and soliciting community input, several initiatives were undertaken to increase food security for the low income population. One such initiative specifically targeted the Hmong population.

As a result of the findings, Brown County UWEX staff with guidance from the Hmong Community applied for and received a 3-year \$180,000 USDA Community Food Systems Grant.

The grant provided funding to engage in a range of activities to assist low-income Hmong families in the county to become more food secure and economically self-sufficient through food system linkages to preserve, expand and enhance elements of the local Hmong food system and make preferred foods more accessible. Although the primary focus of the project became the development of a Shared commercial kitchen, as needs were further identified. and relationships developed

and trust was built, we learned more about the agricultural community. In all, 37 families self-identified with an idea for a food related business to generate supplementary or primary income. To address this interest, three \$5000 grants were received to provide individual business plan development and education that provided certification in food safety and sanitation from Northeast Wisconsin Technical Institute.

As WNEP staff worked with the Hmong Community, the need to provide education for individuals interested in agriculture was recognized. Throughout the phase of developing relationships, 22 landowners in all were identified, 11 of which were currently farming but there were no addresses and they had no relationship with UW Extension Agricultural education. To address this issue, an Eastern District Management Team Grant proposal with written in and submitted by the Brown County **UW-Extension Agriculture** Educator and WNEP Program. When funding was received, the efforts of Blong Vang were enlisted as liaison as he had a previous involvement with WNEP staff and established relationships within the Hmong community.

This program provided an opportunity to further develop a comprehensive list with addresses of Hmong individuals

involved in production agriculture, vegetable production, and food/prep marketing. The Agriculture Educator, concerned initially with providing education on premise ID, identified Hmong landowners and renters who were participating in animal husbandry projects or were interested in beginning to raise animals for sale. Following the identification process, farm visits were conducted with a number of identified individuals. After making these contacts, the Agriculture Educator felt there was a need to continue working with this group.

With this information in hand, staff structured an educational session to address specific information needs. Contact was made with the University of Wisconsin-Green Bay Small **Business Development Center** and Brown County UW-Extension Community Garden Program. At this time, one farmer is working with the **UWGB Small Business** Development Center and another is working with the Biological Science Engineering Department in Madison.

The long term and trusting relationships that have been developed by WNEP with the Hmong Community have now been transferred to other UW Extension program areas.



Many Hmong related educational materials and opportunities are provided by UW-Extension.

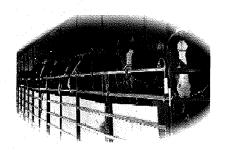
# **Brown County Shines for Farm Technology Days**







(Continued from page 1)



informing, entertaining, and educating a wide audience including youths. This year's Wisconsin Farm Technology days also emphasized, in no small way, the importance of agriculture to the Brown County area and to Wisconsin as a whole. Hats off to all those who helped make Wisconsin Farm Technology Days in Brown County such an eye-opening and entertaining event to attend.



